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Agenda item 40
The situation in the Middle East

Letter dated 3 July 2001 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

In my capacity as Chairman of the Arab Group for the month of July 2001 and on behalf of the members of the League of Arab States, I have the honour to inform you that on Tuesday, 3 July 2001, the Arab Group held a meeting in New York at the level of ambassadors and permanent representatives to the United Nations. They met in implementation of the resolutions of the 2001 Arab Summit Conference held in Amman, Jordan, and the 2000 Arab Summit Conference held in Cairo, Egypt, on pan-Arab solidarity with Lebanon in the face of Israeli attacks and threats and in the light of the act of aggression committed by Israeli air forces on the afternoon on Sunday, 1 July 2001, against Lebanon, when they attacked a radar position of the Syrian Arab forces operating in Lebanon in the Duhur al-Aytrun locality of the Bekaa, wounding two members of the Syrian forces and an enlisted man in the Lebanese Army.

In the delicate situation in which the Middle East region finds itself, I should like to state, on behalf of the Arab Group, that the Arab position of solidarity is based on the following invariable elements:

The Arab Group condemns the repeated Israeli attacks on Lebanon, constituting as they do a flagrant violation of the country's sovereignty and of its territorial integrity and airspace. Israel alone bears responsibility for the grave consequences they have and for the fact that they jeopardize international peace and security. It further condemns outright the Israeli aggression against the Syrian Arab forces operating in Lebanon.

The Arab Group affirms its support for Lebanon in asserting all of its rights and in taking all legitimate measures to liberate the occupied Shab'a farmlands and secure the return of the prisoners that Israel abducted from their homes in open defiance of international legality and international humanitarian law.

This attack is a manifest attempt to divert attention from the infamous Israeli practices and outrages against the Palestinian people in the occupied Palestinian territories, including Jerusalem.

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The Arab Group voices its concern at the ongoing series of Israeli threats against and attacks on the unity and integrity of Lebanese territory, and it declares its full solidarity with Lebanon and Syria in their coordinated action to counter this aggression and all the Israeli designs against the two countries.

The Arab Group urges the United Nations Secretariat to take the measures necessary to halt Israeli aggression against Lebanese territory and against the Syrian Arab forces operating there, to prevent any recurrence of such aggression and to require Israel to respect Lebanon's sovereignty and territorial integrity and implement the resolutions that embody international legitimacy.

The Arab Group would like to take this opportunity to reaffirm the continuing commitment of the Arab States to a just and comprehensive peace in the Middle East in accordance with Security Council resolutions 242 (1967) and 338 (1973), the principle of land for peace, the Madrid terms of reference and the other relevant resolutions that represent international legitimacy and to reiterate their deep belief that it is such a peace that will provide the region with a climate of security and stability.

I should be grateful if you would have this letter circulated as a document of the General Assembly under agenda item 40.

(*Signed*) Nassir Abdulaziz **Al-Nasser**
Ambassador
Permanent Representative of Qatar to the United Nations
Chairman of the Arab Group

United Nations A/55/1012-S/2001/678

General Assembly
Security Council

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General Assembly
Fifty-fifth session
Agenda item 64
Question of Cyprus

Security Council
Fifty-sixth year

Letter dated 6 July 2001 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to the circulation of the letter by the Permanent Representative of the Republic of Turkey dated 6 July 2001 (A/55/986-S/2001/575), I am writing with reference to the judgement in the case of *Cyprus v. Turkey*, delivered at Strasbourg on 10 October 2001 by the European Court of Human Rights. The Court, in its decision, held that the matters complained of by the Republic of Cyprus in its Fourth Inter-State Application entailed Turkey's responsibility under the European Convention on Human Rights and found Turkey guilty of 14 violations of the Convention. These violations, inter alia, relate to:

- Greek-Cypriot missing persons and their relatives;
- Homes and property of displaced persons;
- Living conditions of Greek-Cypriots in the occupied areas.

An executive summary of the judgement issued as a press release by the Registrar of the court is attached to my letter (see annex) to give the Members of the United Nations the opportunity to have objective information on this issue. The full text of the judgement is available at the Internet site of the Court at: http://www.echr.coe.int.

In the above letter of the Turkish Permanent Representative, the European Court of Human Rights is accused by Turkey and its subordinate local administration in the area of Cyprus, under Turkish military occupation since 1974, that in its judgement it "does not take into account the realities and legality in Cyprus, and is based on political considerations". This position is not surprising, considering that Turkey has steadfastly rejected all decisions of international organizations that do not agree with its expansionist designs in Cyprus. Turkey having rejected resolutions of the Security Council, resolutions and decisions of the European Parliament, the Movement of Non-Aligned Countries, the Commonwealth and other organizations, once more rejects decisions of the highest legal authority of the Council of Europe. Unfortunately, the same contempt is also displayed by the Turkish-Cypriot leader, Mr. R. Denktash, a lawyer by profession. This, of course, is

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also not surprising, considering that Mr. Denktash's entire career has revolved around the promotion of Turkey's so-called geo-strategic interests in Cyprus through the division of the island and its people, ignoring international law and even the true interests of the members of the Turkish-Cypriot community who have, as a consequence, become the real victims of the anachronistic policies of Turkey.

It is all the more disturbing to witness the Republic of Turkey, a member of the Council of Europe and a candidate for accession to the European Union, treating the decisions of the European Court of Human Rights with such scorn and disrespect. It is to be recalled that a similar judgement of the same Court, in the *Loizidou* case, concerning a Greek-Cypriot refugee who was awarded compensation for the violation of her right of enjoyment of her property in the occupied area, has awaiting implementation since 1998, despite the adoption by the Council of Ministers of the Council of Europe of three interim resolutions stressing to Turkey the obligation to execute the decision.

It is obvious from the Turkish reaction that Turkey does not intend to implement the Court's decision and put an end to the massive violations of the human rights and fundamental freedoms of the people of Cyprus. Instead, Turkey, pursuing relentlessly the acceptance of the so-called "realities", created by its illegal invasion and subsequent occupation, continues to violate the rights of the Greek Cypriot missing persons and their relatives, the refugees and the enclaved persons remaining in the occupied area.

As we strive to construct a new international order based on the rule of law and the principles of the Charter of the United Nations, the international community must not tolerate any longer such behaviour, which only reinforces the culture of impunity and renders the solution of the Cyprus problem more difficult.

The Republic of Cyprus has no desire to engage in polemics. Instead, we believe that the primary focus should be on intensifying the efforts for finding a just and workable solution of the Cyprus problem, on the basis of United Nations resolutions, which will restore and safeguard the human rights and fundamental freedoms of all Cypriots. Unfortunately, since November of last year, Mr. R. Denktash, supported by Turkey, refuses to continue the talks, after having abandoned them at the end of the fifth round, and insists on unacceptable preconditions for their resumption. Furthermore, the subordinate local administration of Turkey in occupied Cyprus has intensified its restrictions on bi-communal contacts and events, including most recently a performance by a bi-communal choir group planned for 1 July 2001 in the only remaining mixed village of Pyla. Moreover, with the recent creation of a shadowy chauvinistic organization, it tries to intimidate and suppress the freedom of expression of any Turkish-Cypriot opposed to the partitionist policies of Turkey. In this respect, the occupation regime will stop at nothing, as exemplified by the murder of the distinguished Turkish Cypriot journalist Kutlu Adali and the firebombing on two occasions of the Turkish-Cypriot daily *Avrupa*.

Furthermore, as stated in the draft report of the rapporteur of the Parliamentary Assembly of the Council of Europe, Mr. Jaakko Laakso, which was released last week, Turkey and her subordinate local administration have imported 120,000 Turkish mainland settlers into the occupied areas, causing 55,000 Turkish Cypriots to emigrate. Today, according to the report, only 85,000 Turkish Cypriots remain on the island. This considerable reduction of the Turkish Cypriot community is a direct

result of the efforts by Turkey to dilute the political will of the Turkish Cypriots and thus realize, unhindered, its expansionist aims.

We are convinced, however, that the true interests of all Cypriots, Greek-Cypriots and Turkish-Cypriots alike, who strive to live in a united, federal Cyprus, a member of the European Union with their rights fully protected, will ultimately prove to be stronger than the anachronistic partitionist policies of Turkey and her subordinate local administration in occupied Cyprus.

I would greatly appreciate it if the text of the present letter and its annex* could be circulated as a document of the General Assembly, under agenda item 64, and of the Security Council.

(*Signed*) Sotos **Zackheos**
Ambassador
Permanent Representative

* The annex is being circulated in the languages of submission only (English and French).

Annex to the letter dated 6 July 2001 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

10 May 2001

Press release issued by the Registrar of the European Court of Human Rights

JUDGMENT IN THE CASE OF CYPRUS v. TURKEY

In a Grand Chamber judgment delivered at Strasbourg on 10 May 2001 in the case of ***Cyprus v. Turkey*** (application no. 25781/94), the European Court of Human Rights held, by sixteen votes to one, that the matters complained of by Cyprus in its application entailed Turkey's responsibility under the European Convention on Human Rights.

The Court held that there had been the following 14 violations of the Convention (see **Decision of the Court** for details):

Greek-Cypriot missing persons and their relatives

- a continuing **violation of Article 2** (right to life) of the Convention concerning the failure of the authorities of the respondent State to conduct an effective investigation into the whereabouts and fate of Greek-Cypriot missing persons who disappeared in life-threatening circumstances;
- a continuing **violation of Article 5** (right to liberty and security) concerning the failure of the Turkish authorities to conduct an effective investigation into the whereabouts and fate of the Greek-Cypriot missing persons in respect of whom there was an arguable claim that they were in Turkish custody at the time of their disappearance;
- a continuing **violation of Article 3** (prohibition of inhuman or degrading treatment) in that the silence of the Turkish authorities in the face of the real concerns of the relatives attained a level of severity which could only be categorised as inhuman treatment.

Home and property of displaced persons

- a continuing **violation of Article 8** (right to respect for private and family life, home and correspondence) concerning the refusal to allow the return of any Greek-Cypriot displaced persons to their homes in northern Cyprus;
- a continuing **violation of Article 1 of Protocol No. 1** (protection of property) concerning the fact that Greek-Cypriot owners of property in northern Cyprus were being denied access to and control, use and

enjoyment of their property as well as any compensation for the interference with their property rights;

- a **violation of Article 13** (right to an effective remedy) concerning the failure to provide to Greek Cypriots not residing in northern Cyprus any remedies to contest interferences with their rights under Article 8 and Article 1 of Protocol No. 1.

Living conditions of Greek Cypriots in Karpas region of northern Cyprus

- a **violation of Article 9** (freedom of thought, conscience and religion) in respect of Greek Cypriots living in northern Cyprus, concerning the effects of restrictions on freedom of movement which limited access to places of worship and participation in other aspects of religious life;
- a **violation of Article 10** (freedom of expression) in respect of Greek Cypriots living in northern Cyprus in so far as school-books destined for use in their primary school were subject to excessive measures of censorship;
- a **continuing violation of Article 1 of Protocol No. 1** in respect of Greek Cypriots living in northern Cyprus in that their right to the peaceful enjoyment of their possessions was not secured in case of their permanent departure from that territory and in that, in case of death, inheritance rights of relatives living in southern Cyprus were not recognised;
- a **violation of Article 2 of Protocol No. 1** (right to education) in respect of Greek Cypriots living in northern Cyprus in so far as no appropriate secondary-school facilities were available to them;
- a **violation of Article 3** in that the Greek Cypriots living in the Karpas area of northern Cyprus had been subjected to discrimination amounting to degrading treatment;
- a **violation of Article 8** concerning the right of Greek Cypriots living in northern Cyprus to respect for their private and family life and to respect for their home;
- a **violation of Article 13** by reason of the absence, as a matter of practice, of remedies in respect of interferences by the authorities with the rights of Greek Cypriots living in northern Cyprus under Articles 3, 8, 9 and 10 of the Convention and Articles 1 and 2 of Protocol No. 1.

Rights of Turkish Cypriots living in northern Cyprus

- a **violation of Article 6** (right to a fair trial) on account of the legislative practice of authorising the trial of civilians by military courts.

The Court further held that there had been **no violation** concerning a number of complaints, including all those raised under: Article 4 (prohibition of slavery

and forced labour), Article 11 (freedom of assembly and association), Articles 14 (prohibition of discrimination), Article 17 (prohibition of abuse of rights) and Article 18 (limitation on use of restrictions on rights) read in conjunction with all those provisions. As regards a number of other allegations, the Court held that it was not necessary to consider the issues raised.

The Court also decided, unanimously, that the question of the possible application of Article 41 (just satisfaction) of the Convention was not ready for decision.

1. Principal facts

The case relates to the situation that has existed in northern Cyprus since the conduct of military operations there by Turkey in July and August 1974 and the continuing division of the territory of Cyprus. In connection with that situation, Cyprus maintained that Turkey had continued to violate the Convention in northern Cyprus after the adoption of two earlier reports by the European Commission of Human Rights, which were drawn up following previous applications brought by Cyprus against Turkey.

In the Convention proceedings, Cyprus contended that Turkey was accountable under the Convention for the violations alleged notwithstanding the proclamation of the "Turkish Republic of Northern Cyprus" in November 1983 and the subsequent enactment of the "TRNC Constitution" in May 1985. Cyprus maintained that the "TRNC" was an illegal entity from the standpoint of international law and pointed to the international community's condemnation of the establishment of the "TRNC". Turkey, on the other hand, maintained that the "TRNC" was a democratic and constitutional State, which was politically independent of all other sovereign States, including Turkey. For that reason, Turkey stressed that the allegations made by Cyprus were imputable exclusively to the "TRNC" and that Turkey could not be held accountable under the Convention for the acts or omissions on which those allegations were based.

2. Procedure

The application was lodged with the European Commission of Human Rights on 22 November 1994. Having declared the application admissible on 28 June 1996, the Commission appointed Delegates who took evidence in respect of various matters raised by the application in Strasbourg (27-28 November 1997), Cyprus (21-24 February 1998) and London (22 April 1998). Having concluded that there was no basis on which a friendly settlement could be secured, the Commission, following an oral hearing, adopted a report on 4 June 1999 in which it established the facts and expressed an opinion as to whether the facts disclosed the alleged breaches by Turkey of its obligations under the Convention.

The case was referred to the Court by the Government of the Republic of Cyprus on 30 August 1999 and by the Commission on 11 September 1999. The panel of the Grand Chamber of the Court decided that the case should be examined by the Grand Chamber.

3. Composition of the Court

Judgment was given by the Grand Chamber of seventeen judges, composed as follows:
Luzius **Wildhaber** (Swiss), ***President***,
Elisabeth **Palm** (Swedish),
Jean-Paul **Costa** (French),
Luigi **Ferrari Bravo** (Italian),
Lucius **Caflisch** (Swiss),
Willi **Fuhrmann** (Austrian),
Karel **Jungwiert** (Czech),
Marc **Fischbach** (Luxemburger),
Boštjan **Zupančič** (Slovenian),
Nina **Vajić** (Croatian),
John **Hedigan** (Irish),
Margarita **Tsatsa-Nikolovska** (FYROMacedonia),
Tudor **Panţîru** (Moldovan),
Egils **Levits** (Latvian),
Anatoly **Kovler** (Russian), ***judges***,
Kutlu Tekin **Fuad**, **ad hoc *judge*** in respect of Turkey,
Silvio **Marcus-Helmons**, **ad hoc *judge*** in respect of Cyprus,
and also Michele **de Salvia**, ***Registrar***.

4. Complaints

Before the Court, Cyprus alleged violations of the Convention under Articles 1 (obligation to respect human rights), 2, 3, 4, 5, 6, 8, 9, 10, 11, 13, Articles 1 and 2 of Protocol No. 1, and Articles 14, 17, and 18. According to Cyprus, these Articles were violated as a matter of administrative practice by the respondent State.
The allegations concerned the following issues:
(a) Greek-Cypriot missing persons and their relatives
In respect of Greek-Cypriot missing persons, it was alleged that, if any were still in Turkish custody, this would constitute a form of slavery or servitude contrary to Article 4 and a grave breach of their right to liberty under Article 5. In addition, Cyprus maintained that there had been a violation of Articles 2 and 5 on account of Turkey's failure to carry out an investigation into the disappearance of these persons in life-threatening circumstances and to account for their whereabouts.
In respect of the relatives of missing persons, Cyprus alleged violations of Articles 3, 8 and 10 on account of the Turkish authorities' consistent and continuing failure to provide information on the fate of the missing persons.

(b) Home and property of displaced persons
Cyprus complained, among other things, under Article 8 (the continuing refusal to allow Greek Cypriots to return to their homes and families in northern Cyprus; implantation of Turkish settlers in northern Cyprus to the detriment of the

demographic and cultural environment of northern Cyprus), Article 1 of Protocol No. 1 (denial of access to and enjoyment of property, re-assignment of property, withholding of compensation and deprivation of title), Article 13 of the Convention (failure to provide any remedy to displaced persons in respect of the alleged violations of Article 8 and Article 1 of Protocol No. 1) and Article 14 taken in conjunction with the preceding Articles (discrimination against Greeks and Greek Cypriots as regards, among other things, enjoyment of their property). Cyprus further invoked Article 3 (discrimination against displaced persons amounting to ill-treatment), and Articles 17 (abuse of rights) and 18 (impermissible use of restrictions on rights).

(c) Living conditions of Greek Cypriots in the Karpas region of northern Cyprus

As regards the Karpas Greek Cypriots, Cyprus relied on, among other things, Articles 2 (denial of adequate medical treatment and services), 3 (discriminatory treatment; in particular in view of their advanced age, the restrictions placed on them and methods of coercion used were said to amount to inhuman and degrading treatment), 5 (threat to security of person and absence of official action to prevent this), 6 (lack of a fair hearing before an independent and impartial tribunal established by law for the determination of their civil rights), 8 (interference with their right to respect for their private and family life, home and correspondence), 9 (interference with their right to manifest their religion on account of restrictions on their freedom of movement and access to places of worship), 10 (excessive censorship of school-books and restrictions on importation of Greek-language newspapers and books), 11 (impediments to their participation in bi or inter-communal events or gatherings), 13 (denial of an effective remedy in respect of their complaints) and 14 (discrimination on racial, religious and linguistic grounds), and Articles 1 (interference with the property of deceased Greek Cypriots as well as with the property of such persons who permanently leave northern Cyprus) and 2 (denial of secondary-education facilities to Greek-Cypriot children) of Protocol No. 1.

(d) Complaints relating to Turkish Cypriots, including members of the Gypsy community, living in northern Cyprus

Cyprus alleged, among other things, violations in relation to Turkish Cypriots who are opponents of the "TRNC" *régime* of Articles 5 (arbitrary arrest and detention), 6 (trial by "military courts"), 8 (assaults and harassment by third parties), 10 (prohibition of Greek-language newspapers and interference with the right to freedom of expression), 11 (denial of the right to associate freely with Greek Cypriots), Article 1 of Protocol No.1 (failure to allow Turkish Cypriots to return to their properties in southern Cyprus). Violations were also alleged of Articles 3, 5, 8 and 13 and Article 2 of Protocol No. 1 in relation to the treatment of Turkish-Cypriot Gypsies living in northern Cyprus.

5. Decision of the Court

Preliminary issues

The Court considered, unanimously, that, notwithstanding Turkey's failure either to submit a memorial to the Court or to attend the oral hearing held on 20 September 2000 and to plead these issues afresh, it had jurisdiction to examine those preliminary issues raised by Turkey in the proceedings before the Commission which the Commission reserved for the merits stage.

The Court held, unanimously, that the applicant Government had both *locus standi* to bring the application, given that the Republic of Cyprus was the sole legitimate government of Cyprus, and a legitimate legal interest in having the merits of the application examined since neither of the resolutions adopted by the Committee of Ministers of the Council of Europe on the Commission's previous reports had resulted in a decision which could be said to be dispositive of the issues raised in the application. Furthermore, the Court, unanimously, confirmed the Commission's conclusion that situations which ended more than six months before the date of introduction of the application (22 May 1994) fell outside the scope of its examination.

As to Turkey's denial of liability under the Convention for the allegations made against it, the Court held, by sixteen votes to one, that the facts complained of in the application fell within the "jurisdiction" of Turkey within the meaning of Article 1 of the Convention and therefore entailed the respondent State's responsibility under the Convention. In reaching this conclusion, the Court noted that such a finding was consistent with its earlier statements in its ***Loizidou v. Turkey*** (*merits*) judgment [fn]. In that judgment, the Court had noted that Turkey exercised effective overall control of northern Cyprus through its military presence there, with the result that its responsibility under the Convention was engaged for the policies and actions of the "TRNC" authorities. In the instant case, the Court stressed that Turkey's responsibility under the Convention could not be confined to the acts of its own soldiers and officials operating in northern Cyprus but was also engaged by virtue of the acts of the local administration ("the TRNC"), which survived by virtue of Turkish military and other support.

The Court further held, by ten votes to seven, that, for the purposes of the exhaustion requirements under the former Article 26 (current Article 35 § 1), remedies available in the "TRNC" may be regarded as "domestic remedies" of the respondent State and that the question of the effectiveness of these remedies had to be considered in the specific circumstances where it arose, on a case-by case basis. The majority of the Court, in line with the majority viewpoint of the Commission, considered, among other things, and with reference to the Advisory Opinion of the International Court of Justice in the Namibia case, that in situations similar to those arising in the present case, the obligation to disregard acts of *de facto* entities, like the "TRNC", was far from absolute. For the Court, life went on in the territory concerned for its inhabitants and that life must be made tolerable and be protected by the *de facto* authorities, including their courts. It considered that, and in the interests of the inhabitants, the acts of those authorities could not simply be ignored by third States or by international institutions, especially courts. To hold otherwise would amount to stripping the

inhabitants of the territory of all their rights whenever they were discussed in an international context, which would amount to depriving them even of the minimum standard of rights to which they were entitled. In reaching this conclusion, the Court's majority stressed that its reasoning did not in any way legitimise the "TRNC" and reaffirmed the view that the government of the Republic of Cyprus remained the sole legitimate government of Cyprus.

(a) Greek-Cypriot missing persons and their relatives

The Court, unanimously, found that there had been **no violation of Article 2** by reason of an alleged violation of a substantive obligation under that Article in respect of any of the missing persons. The evidence before it did not substantiate to the required standard that any of the missing persons were killed in circumstances engaging the respondent State's liability.

On the other hand, the Court found, by sixteen votes to one, that there had been a **continuing violation of Article 2** on account of the failure of the authorities of the respondent State to conduct an effective investigation into the whereabouts and fate of Greek-Cypriot missing persons who disappeared in life-threatening circumstances.

The Court concluded, unanimously, that **no violation of Article 4** had been established.

Although it found, unanimously, that it had not been established that, during the period under consideration, any of the missing persons were actually in detention, the Court ruled, by sixteen votes to one, that there had been a **continuing violation of Article 5** by virtue of the failure of the authorities of the respondent State to conduct an effective investigation into the whereabouts and fate of the Greek-Cypriot missing persons in respect of whom there was an arguable claim that they were in Turkish custody at the time of their disappearance.

As to the relatives of the Greek-Cypriot missing persons, the Court held, by sixteen votes to one, that there had been a **continuing violation of Article 3**. In the Court's opinion, the silence of the authorities of the respondent State in the face of the real concerns of the relatives attained a level of severity which could only be categorised as inhuman treatment.

Having regard to that conclusion, the Court held, unanimously, that it was not necessary to examine whether Articles 8 and 10 of the Convention had been violated in respect of the relatives of the Greek-Cypriot missing persons.

(b) Home and property of displaced persons

The Court held, by sixteen votes to one, that there had been a **continuing violation of Article 8** by reason of the refusal to allow the return of any Greek-Cypriot displaced persons to their homes in northern Cyprus. Having regard to that conclusion, the Court found, unanimously, that it was not necessary to examine whether there had been a further violation of that Article by reason of the alleged manipulation of the demographic and cultural environment of the

Greek-Cypriot displaced persons' homes in northern Cyprus. As to the applicant Government's complaint under Article 8 concerning the interference with the right to respect for family life on account of the refusal to allow the return of any Greek-Cypriot displaced persons to their homes in northern Cyprus, the Court held, unanimously, that this complaint fell to be considered in the context of their allegations in respect of the living conditions of the Karpas Greek Cypriots. Furthermore, the Court held, by sixteen votes to one, that there had been a **continuing violation of Article 1 of Protocol No. 1** by virtue of the fact that Greek-Cypriot owners of property in northern Cyprus were being denied access to and control, use and enjoyment of their property as well as any compensation for the interference with their property rights.

The Court also held, by sixteen votes to one, that there had been a **violation of Article 13** by reason of the failure to provide to Greek Cypriots not residing in northern Cyprus any remedies to contest interferences with their rights under Article 8 and Article 1 of Protocol No. 1. It did not find it necessary (unanimously) to examine whether in this case there had been a violation of Article 14 taken in conjunction with Articles 8 and 13 and Article 1 of Protocol No. 1, or whether the alleged discriminatory treatment of Greek-Cypriot displaced persons also gave rise to a breach of Article 3. It was also of the unanimous view that it was not necessary to examine separately the applicant Government's complaints under Articles 17 and 18, having regard to its findings under Articles 8 and 13 and Article 1 of Protocol No. 1.

(c) Living conditions of Greek Cypriots in Karpas region of northern Cyprus

The Court held, by sixteen votes to one, that there had been a **violation of Article 9** in respect of Greek Cypriots living in northern Cyprus. As regards Maronites living in northern Cyprus it found, unanimously, **no violation of Article 9**. The Court also held, by sixteen votes to one, that there had been a **violation of Article 10** in respect of Greek Cypriots living in northern Cyprus in so far as school-books destined for use in their primary school were subject to excessive measures of censorship.

The Court further held, by sixteen votes to one, that there had been a **continuing violation of Article 1 of Protocol No. 1** in respect of Greek Cypriots living in northern Cyprus in that their right to the peaceful enjoyment of their possessions was not secured in case of their permanent departure from that territory and in that, in case of death, inheritance rights of relatives living in southern Cyprus were not recognised.

The Court also ruled, by sixteen votes to one, that there had been **a violation of Article 2 of Protocol No. 1** in respect of Greek Cypriots living in northern Cyprus in so far as no appropriate secondary-school facilities were available to them.

In addition, the Court found, by sixteen votes to one, that there had been **a violation of Article 3** in that the Greek Cypriots living in the Karpas area of northern Cyprus had been subjected to discrimination amounting to degrading

treatment. It observed in this connection that the Karpas Greek-Cypriot population was compelled to live in a situation of isolation and that its members were controlled and restricted in their movements and had no prospect of renewing or developing their community. For the Court, the conditions under which the population was condemned to live were debasing and violated the very notion of respect for the human dignity of its members. The discriminatory treatment attained a level of severity which amounted to degrading treatment.
The Court further held, by sixteen votes to one, that, from an overall standpoint, there had been a **violation of Article 8** concerning the right of Greek Cypriots living in northern Cyprus to respect for their private and family life and to respect for their home. In this connection the Court noted that the population concerned was subjected to serious restrictions on the exercise of these rights, including monitoring of its members' movements and contacts. The surveillance effected by the authorities even extended to the physical presence of State agents in the homes of Greek Cypriots on the occasion of social or other visits paid by third parties, including family members. Having regard to that conclusion, the Court found, unanimously, that it was not necessary to examine separately the applicant Government's complaint under Article 8 concerning the effect of the respondent State's alleged colonisation policy on the demographic and cultural environment of the Greek Cypriots' homes. The Court further found, unanimously, **no violation of Article 8** concerning the right to respect for correspondence by reason of an alleged practice of interference with the right of Greek Cypriots living in northern Cyprus to respect for their correspondence.
The Court found, by sixteen votes to one, that there had been a **violation of Article 13** by reason of the absence, as a matter of practice, of remedies in respect of interferences by the authorities with the rights of Greek Cypriots living in northern Cyprus under Articles 3, 8, 9 and 10 of the Convention and Articles 1 and 2 of Protocol No. 1. On the other hand, it held, by eleven votes to six, that **no violation of Article 13** had been established by reason of the alleged absence of remedies in respect of interferences by private persons with the rights of Greek Cypriots living in northern Cyprus under Article 8 and Article 1 of Protocol No. 1.
The Court held, by sixteen votes to one, that **no violation of Article 2** had been established by reason of an alleged practice of denying access to medical services to Greek Cypriots and Maronites living in northern Cyprus and, by the same margin, that there had been **no violation of Article 5**. Furthermore, by eleven votes to six, it held that **no violation of Article 6** had been established in respect of Greek Cypriots living in northern Cyprus by reason of an alleged practice of denying them a fair hearing by an independent and impartial tribunal in the determination of their civil rights and obligations. The Court also held, unanimously, that **no violation of Article 11** had been established by reason of an alleged practice of denying Greek Cypriots living in northern Cyprus the right to freedom of association and that **no violation of Article 1 of Protocol No. 1** had been established by virtue of an alleged practice of failing to protect

the property of Greek Cypriots living in northern Cyprus against interferences by private persons.

The Court decided, unanimously, that it was not necessary to examine whether there had been a violation of Article 14 taken in conjunction with Article 3 in respect of Greek Cypriots living in northern Cyprus, having regard to its finding under Article 3 and, by fourteen votes to three, that, having regard to the particular circumstances of this case, it was not necessary to for it to examine whether there had been a breach of Article 14 taken in conjunction with other relevant Articles.

(d) Right of displaced Greek Cypriots to hold elections

The Court held, unanimously, that it was not necessary to examine whether the facts disclosed a violation of the right of displaced Greek Cypriots to hold free elections, as guaranteed by Article 3 of Protocol No. 1.

(e) Rights of Turkish Cypriots, including members of Gypsy community, living in northern Cyprus

Under this heading, the Court, unanimously, declined jurisdiction to examine those aspects of the applicant Government's complaints under Articles 6, 8, 10 and 11 in respect of political opponents of the regime in the "TRNC" as well as their complaints under Articles 1 and 2 of Protocol No. 1 in respect of the Turkish-Cypriot Gypsy community, which were held by the Commission not to be within the scope of the case as declared admissible.

The Court found, by sixteen votes to one, that there had been a **violation of Article 6** on account of the legislative practice of authorising the trial of civilians by military courts.

The Court further held, unanimously, that there had **been no violation of Articles 3, 5, 8, 10 and 11** concerning the rights of Turkish Cypriot opponents of the regime in northern Cyprus by reason of an alleged administrative practice, including an alleged practice of failing to protect their rights under these Articles.

By sixteen votes to one, the Court found **no violation of Articles 3, 5, 8 and 14** concerning the rights of members of the Turkish-Cypriot Gypsy community by reason of an alleged administrative practice, including an alleged practice of failing to protect this group's rights under these Articles.

It held, unanimously, that: **no violation of Article 10** had been established by reason of an alleged practice of restricting the right of Turkish Cypriots living in northern Cyprus to receive information from the Greek-language press; **no violation of Article 11** had been established by reason of an alleged practice of interference with the right to freedom of association or assembly of Turkish Cypriots living in northern Cyprus; **no violation of Article 1 of Protocol No. 1** had been established by reason of an alleged administrative practice, including an alleged practice of failing to secure enjoyment of their possessions in southern Cyprus to Turkish Cypriots living in northern Cyprus.

By eleven votes to six, the Court found that **no violation of Article 13** had been established by reason of an alleged practice of failing to secure effective remedies to Turkish Cypriots living in northern Cyprus.

(f) Alleged violations of Articles 1, 17, 18 and former Article 32 § 4
The Court held unanimously that it was not necessary to examine separately the applicant Government's complaints under these Articles.
Judges Palm, Costa, Jungwiert, Panţîru, Levits, Kovler, Fuad and Marcus-Helmons expressed partly dissenting opinions, which are annexed to the judgment.

***

The Court's judgments are accessible on its Internet site (http://www.echr.coe.int).
Registry of the European Court of Human Rights
F – 67075 Strasbourg Cedex
Contacts: Roderick Liddell (telephone: (0)3 88 41 24 92)
Emma Hellyer (telephone: (0)3 90 21 42 15)
Fax: (0)3 88 41 27 91
The European Court of Human Rights *was set up in Strasbourg in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights. On 1 November 1998 a full-time Court was established, replacing the original two-tier system of a part-time Commission and Court.*

[fn] Judgment of 18 December 1996, Reports of Judgments and Decisions 1996-VI, §§ 52-56.

United Nations A/55/1012/Corr.1–S/2001/678/Corr.1

General Assembly
Security Council

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General Assembly
Fifty-fifth session
Agenda item 64
Question of Cyprus

Security Council
Fifty-sixth year

Letter dated 6 July 2001 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Corrigendum

1. In the first paragraph

   For 10 October 2001 **read** 10 May 2001

2. Page 2, second paragraph, sixth line

   For has awaiting **read** has been awaiting

01-45937 (E) 180701

United Nations A/55/1013–S/2001/683

General Assembly
Security Council

Distr.: General
11 July 2001
English
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General Assembly
Fifty-fifth session
Agenda item 10
Report of the Secretary-General on the work of the Organization

Security Council
Fifty-sixth year

Letter dated 29 June 2001 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention a statement on the European Union Programme for the Prevention of Violent Conflicts issued on 15 June 2001 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under agenda item 10, and of the Security Council.

(*Signed*) Pierre **Schori**
Permanent Representative of Sweden to the United Nations

01-45314 (E) 130701 130701

Annex to the letter dated 29 June 2001 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

[Original: English and French]

European Union Programme for the Prevention of Violent Conflicts

1. The international community has a political and moral responsibility to act to avoid the human suffering and the destruction of resources caused by violent conflicts. The European Union is a successful example of conflict prevention, based on democratic values and respect for human rights, justice and solidarity, economic prosperity and sustainable development. The process of enlargement will extend this community of peace and progress to a wider circle of European states.

2. In line with the fundamental values of the EU, the highest political priority will be given to improving the effectiveness and coherence of its external action in the field of conflict prevention, thereby also enhancing the preventive capabilities of the international community at large.

3. Conflict prevention calls for a co-operative approach to facilitate peaceful solutions to disputes and implies addressing the root-causes of conflicts. It is an important element of all aspects of the external relations of the European Union. The development of ESDP has, since the outset, been intended to strengthen the EU's capacity for action in the crucial field of conflict prevention.

4. In keeping with the primary role of the UN in conflict prevention, EU actions will be undertaken in accordance with the principles and purposes of the UN Charter. Recalling that the main responsibility for conflict prevention rests with the parties concerned, assistance to local and regional capacity building according to principles of local ownership is of particular importance.

5. The European Union, through this programme, underlines its political commitment to pursue conflict prevention as one of the main objectives of the EU's external relations. It resolves to continue to improve its capacity to prevent violent conflicts and to contribute to a global culture of prevention. The Commission communication on conflict prevention is welcomed as a major contribution to EU capabilities for conflict prevention.

6. The EU will:

- set clear political priorities for preventive actions,
- improve its early warning, action and policy coherence,
- enhance its instruments for long- and short-term prevention, and
- build effective partnerships for prevention.

I. Political priorities for preventive actions

7. Successful conflict prevention relies on preparedness to take action before a situation deteriorates into violence. Development of policy options must start with clear political priorities and direction, set out through regular reviews of potential conflict areas.

8. In order to **set clear political priorities for preventive actions**:

- the Council will schedule a broad consideration of potential conflict issues at the outset of each Presidency, including at the time of the yearly orientation debate, prepared with assistance from the High Representative, relevant Council bodies, including the Political and Security Committee (PSC), and the Commission, to identify priority areas and regions for EU preventive actions;
- the Council will pursue coherent and comprehensive preventive strategies, using appropriate existing instruments and taking into account ongoing actions, in order to identify challenges, set clear objectives, allocate adequate resources and ensure co-operation with external partners;
- the implementation of preventive strategies will be monitored by the Council, drawing on contributions from the Secretary General/High Representative (SG/HR) and the Commission;

- the Commission is invited to implement its proposal on strengthening the conflict prevention elements in the Country Strategy Papers, as stipulated in the Council conclusions on Linking Relief, Rehabilitation and Development (LRRD), i.a. through more systematic analyses of potential conflict situations.

II. **Early warning, action and policy coherence**

9. Successful prevention must be based on accurate information and analysis as well as clear options for action for both long- and short-term prevention. It requires enhanced field co-operation. Coherence must be ensured in early warning, analysis, planning, decision-making, implementation and evaluation.

10. In order to ensure **early warning, action and policy coherence**:

- Coreper will continue to ensure coherence between different policy areas of the Union, paying specific attention to the question of coherent preventive activities;
- the PSC will further strengthen its role in developing and monitoring conflict prevention policies within the Common Foreign and Security Policy (CFSP) and the ESDP, building upon information from relevant bodies, and bringing issues to the attention of the Council;
- Member States, their Heads of Mission, EU Special Representatives, EC delegations and other representatives of the Commission, as well as the Council Secretariat, including the Policy Planning and Early Warning Unit (PPEWU) and the EU Military Staff (EUMS), should provide regular information on developments of potential conflict situations, i.a. through the development and use of standard formats and methods for early warning reports;
- full use will be made of information from field based personnel of the UN and the OSCE, as well as other international organisations and civil society;
- increased exchange of information between the Member States and the Commission is encouraged, i.a. through exchange of Country Strategy Papers and respective strategy documents of Member States, as well as through the establishment of a system of exchange of information at working level under development by the Commission;
- full use will be made of the Guidelines for strengthening operational co-ordination between the Community, represented by the Commission, and the Member States in the field of external assistance, adopted by the Council on 22 January 2001.

III. **EU instruments for long- and short-term prevention**

11. The Union has an extensive set of instruments for structural long-term and direct short-term preventive actions. The long-term instruments include development co-operation, trade, arms control, human rights and environment policies as well as political dialogue. The Union also has a broad range of diplomatic and humanitarian instruments for short-term prevention. Structures and capabilities for civil and military crisis management, developed within the framework of the ESDP, will also contribute to the capabilities of the EU to prevent conflicts.

12. It must use these instruments in a more targeted and effective manner in order to address root-causes of conflict such as poverty, lack of good governance and respect for human rights, and competition for scarce natural resources.

13. To **strengthen EU instruments for long- and short-term prevention**:

- all relevant institutions of the Union will mainstream conflict prevention within their areas of competence, taking into account the recommendations made in the Commission communication on conflict prevention;
- the Commission is invited to implement its recommendations on ensuring that its development policy and other co-operation programmes are more clearly focused on

addressing root-causes of conflicts in an integrated way within the framework of the poverty reduction objective;
- EU's political dialogue will be used in a systematic and targeted way to address potential conflicts and promote conflict prevention;
- the Commission, taking into account the Council conclusions on EU electoral assistance and observation of 31 May 2001, is invited to implement its recommendations on more targeted action in support of democracy, and the particular attention paid to support to electoral processes, including electoral observers, administration of justice, improving police services and human rights training for the whole security sector, as means of contributing to conflict prevention;
- the capacities of the Union will, as needs are identified, be strengthened by developing instruments in areas such as expertise on human rights and democracy, fact-finding missions, disarmament, demobilisation and reintegration (DD&R), and demining;
- the Council will examine how instruments for disarmament, arms control and non-proliferation, including Confidence and Security Building Measures, can be used more systematically for preventive purposes, including as means for early warning and post-conflict stabilisation and as element in the political dialogue, whilst avoiding duplication of the activities of regional and international organisations;
- the EU will support the ratification and implementation of agreements to tackle the problem posed by unregulated spread of small arms and light weapons in all its aspects, including the proposed UN Programme of Action;
- Member States and the Commission will tackle the illicit trade in high-value commodities, including by taking forward work to identify ways of breaking the link between rough diamonds and violent conflicts and through support for the Kimberly process;
- the Council will develop proposals on the further improvement of its diplomatic instruments, i.a. on the more effective use of Special Representatives, and to this end draw on contributions from the SG/HR;
- the Council, assisted by the SG/HR, and the Commission will, within their areas of competence, examine how to use the crisis management capabilities more effectively for preventive purposes.

IV. Co-operation and partnerships

14. The EU must build and sustain mutually reinforcing and effective partnerships for prevention with the UN, the OSCE and other international and regional organisations as well as the civil society. Increased co-operation is needed at all levels, from early warning and analysis to action and evaluation. Field co-ordination is of particular importance. EU action should be guided by principles of value added and comparative advantage.

15. In order to **increase co-operation and build effective partnerships**:
- The EU will intensify its exchange of information and practical co-operation with the UN system, the OSCE, the Council of Europe, other regional and subregional organisations and the international financial institutions, making full use of recent work on intensified EU-UN and EU-OSCE co-operation in the field of conflict prevention and crisis management;
- in accordance with the principles agreed at Feira and Nice, the EU and NATO, in developing their co-operation in crisis management, notably in the Western Balkans, will also increasingly contribute to conflict prevention;
- exchange of information, dialogue and practical co-operation with humanitarian actors such as the ICRC, relevant non-governmental and academic organisations should also be strengthened;

- the Union and its Member States will, in accordance with article 19 of the Treaty of the European Union, co-ordinate their action to promote conflict prevention in international organisations where they are members;
- joint training programmes for EU, UN and OSCE field and headquarters personnel should be developed, benefiting from the Commission's willingness to consider funding of such programmes;
- the EU will invite organisations involved in conflict prevention in Europe to a meeting on how to improve preventive capabilities, in order to contribute to the dialogue on peace-building initiated by the UN Secretary-General;
- the Union should also contribute to the strengthening of preventive capacities of regional and subregional organisations outside Europe, i.a. through the Commission recommendation on support to regional and subregional integration and, in particular organisations with a clear conflict prevention mandate;
- methods for EU co-operation with the private sector in the field of conflict prevention will be developed, drawing i.a. on progress made by the UN Global Partnership, the OECD guidelines for multinational enterprises and the G8.

V. Implementation

16. The EU and its Member States share the responsibility to implement this programme. Future Presidencies are invited to promote this implementation and make recommendations on its further development. The Commission is invited to implement the recommendations made in its communication on conflict prevention, within its area of competence. Members States are encouraged to develop national action plans to increase their capabilities for conflict prevention.

17. The first report on the progress made in implementation of this programme should be submitted by the Presidency to the European Council in Seville.

United Nations A/55/1014

General Assembly

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Fifty-fifth session
Agenda item 48
The situation of democracy and human rights in Haiti

Letter dated 29 June 2001 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention a statement in support of the efforts of the Organization of American States in Haiti issued on 28 June 2001 by the Presidency of the European Union on behalf of the European Union (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a General Assembly document, under agenda item 48.

(*Signed*) Pierre **Schori**
Permanent Representative of Sweden to the United Nations

01-45256 (E) 130701 130701

Annex to the letter dated 29 June 2001 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement in support of the efforts of the Organization of American States in Haiti issued on 28 June 2001 by the Presidency of the European Union on behalf of the European Union

The European Union welcomes with hope the efforts by the Organization of American States (OAS) and CARICOM to find a solution to the political crisis in Haiti, in particular the serious problems created by last year's elections. The European Union likewise welcomes with satisfaction the signs of openness to dialogue which emerged between the parties during the last visit of the Secretary-General of OAS to Haiti.

Recalling the backing which it has always given to OAS action in Haiti, the European Union hails the avenue opened up by the thirty-first ordinary session of the OAS General Assembly held at San José on 5 June 2001 ("Support for democracy in Haiti"), targeting the introduction of a gradual process aimed at the search for a political agreement between all political parties in Haiti without exception and started by Haitian civil society. However, it emphasizes that many questions remain to be answered: security of elections, screening of votes, funding of electoral campaigns, etc.

Mindful of the misery and distress facing the people of Haiti, the European Union urges the Government of Haiti, political parties, civil society and other pertinent segments of Haitian society to come together and to cooperate in a spirit of compromise and political normalization in exploring the avenue thus opened up, the first stage along which is the setting up of a credible, independent and neutral Provisional Electoral Council by 1 July 2001. The Provisional Electoral Council should determine as soon as possible the date of the new legislative elections. The European Union is convinced that the establishment of such a body would be likely to boost the electoral process necessary if the political crisis is to be resolved and democracy reinforced in Haiti.

The Central and Eastern European countries associated with the European Union, the associated countries Cyprus, Malta and Turkey, and the EFTA countries Iceland and Norway, members of the European Economic Area, align themselves with this statement.

United Nations A/55/1015

General Assembly

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Fifty-fifth session
Agenda item 122
Scale of assessments for the apportionment of the expenses of the United Nations

Letter dated 11 July 2001 from the Secretary-General to the President of the General Assembly

1. At present 16 Member States are in arrears under the terms of Article 19 of the Charter of the United Nations, which states as follows:

> "A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member."

2. The minimum payments necessary to reduce the amounts owed by those Member States on their contributions so that they remain below the gross amount assessed for the preceding two full years (1999-2000) are as follows:

Member State	*Minimum payment (United States dollars)*
Burundi	35 134.80
Central African Republic	285 900.00
Comoros	709 652.25
Georgia	6 475 700.00
Guinea	19 600.00
Guinea-Bissau	424 800.00
Iraq	12 320 200.00
Kyrgyzstan	94 720.33
Liberia	1 042 200.00
Niger	302 900.00
Republic of Moldova	2 649 099.00
Sao Tome and Principe	555 200.00

01-45191 (E) 110701

Member State	*Minimum payment (United States dollars)*
Seychelles	161 200.00
Somalia	956 500.00
Tajikistan	2 029 505.00
Uzbekistan	881 689.50

(*Signed*) Kofi **Annan**
Secretary-General

United Nations A/55/1016

General Assembly

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13 July 2001

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Fifty-fifth session
Agenda item 39
Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies

Letter dated 13 July 2001 from the Permanent Representative of Fiji to the United Nations addressed to the Secretary-General

I would be grateful if you would have the present letter and its annexes circulated as documents of the fifty-fifth session of the General Assembly under agenda item 39.

(*Signed*) A. **Naidu**
Ambassador
Permanent Representative

01-45735 (E) 160701

Annex to the letter dated 13 July 2001 from the Permanent Representative of Fiji to the United Nations addressed to the Secretary-General

Letter dated 4 June 2001 from the Permanent Representative of Fiji to the United Nations addressed to the Secretary-General

The Permanent Representative of the Republic of the Fiji Islands to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour of informing the latter that the Caretaker Government of the Republic of the Fiji Islands, in its commitment to returning Fiji to full constitutional democracy as well as to ensuring that Fiji will once again have a constitutional government with a clear mandate from the people, will hold general elections from 25 August to 1 September 2001.

The Permanent Representative of the Republic of the Fiji Islands to the United Nations also has the honour of advising the Secretary-General of the United Nations that the Cabinet of Fiji held a meeting on 22 May 2001 wherein the decision to invite observer missions from multilateral sources, including the United Nations, was approved. This decision was necessitated by the strong desire of the Government to implement fair and effective processes during the elections.

The Permanent Representative of the Republic of the Fiji Islands to the United Nations further has the honour of requesting the Secretary-General of the United Nations to provide assistance to Fiji and help ensure that its general elections are conducted in a just and orderly manner. In accordance with standing international practice, the Government of Fiji would be grateful for the despatch of a needs assessment mission by the United Nations to discuss and liaise on the nature, scope and parameters of possible United Nations involvement in the elections process with the Supervisor of Elections.

Given the time constraint, the Permanent Representative of the Republic of the Fiji Islands to the United Nations would highly appreciate it if the Secretary-General of the United Nations would despatch this mission at his earliest convenience.

(*Signed*) A. **Naidu**

Annex II to the letter dated 13 July 2001 from the Permanent Representative of Fiji to the United Nations addressed to the Secretary-General

Letter dated 4 July 2001 from the Minister for Foreign Affairs, External Trade and Sugar of Fiji to the President of the General Assembly

United Nations observer mission to the general elections in Fiji, August 2001

The Caretaker Government of the Republic of the Fiji Islands is committed to returning Fiji to full constitutional democracy through free and fair elections.

At its meeting of 22 May 2001, the Cabinet of the Caretaker Government of the Republic of the Fiji Islands decided to invite international observer missions from the Commonwealth, the European Union and the United Nations to observe the Fiji national elections to be held from 25 August to 1 September 2001 under a proposed United Nations framework.

I have much pleasure on behalf of the Caretaker Government of the Republic of the Fiji Islands to invite a United Nations observer mission to attend and observe the Fiji general elections.

(*Signed*) Kaliopate **Tavola**
Minister for Foreign Affairs, External Trade and Sugar

United Nations A/55/1017–S/2001/698

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Security Council

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General Assembly
Fifty-fifth session
Agenda items 40 and 41

The situation in the Middle East

Question of Palestine

Security Council
Fifty-sixth year

Letter dated 12 July 2001 from the Permanent Representative of Bahrain to the United Nations addressed to the Secretary-General

I have pleasure in enclosing the press communiqué of the twenty-fourth special session of the Ministerial Council of the Cooperation Council for the Gulf Arab States, which was held at Jeddah, Saudi Arabia, on 11 July 2001 (see annex).

I would appreciate your issuing the communiqué as a document of the General Assembly, under agenda items 40 and 41, and of the Security Council.

(*Signed*) Jassim M. **Buallay**
Ambassador
Permanent Representative

01-45791 (E) 170701 170701

Annex to the letter dated 12 July 2001 from the Permanent Representative of Bahrain to the United Nations addressed to the Secretary-General

[Original: Arabic]

Press communiqué issued by the Ministerial Council of the Gulf Cooperation Council at its twenty-fourth special session, held in Jeddah on 11 July 2001

On Wednesday, 11 July 2001, the Ministerial Council of the Gulf Cooperation Council (GCC) held its twenty-fourth special session in Jeddah, Saudi Arabia, under the chairmanship of His Excellency Sheikh Mohammed Bin Mubarak Al Khalifa, Minister for Foreign Affairs of the State of Bahrain and Chairman-in-Office of the Ministerial Council.

The Ministerial Council reviewed with great concern the deterioration in the situation in the West Bank and the Gaza Strip as a result of the persistence of the Israeli Government in using savage methods of repression against the insurgent Palestinian people and of the continued imposition of the policy of closures and sieges with all the grave consequences and repercussions to which it gives rise. The Council cautioned in this connection against the possible outcome of remaining silent with regard to a situation that is extremely dangerous for the security and stability of the region as a whole, and it held the Israeli Government fully responsible for the condition in which the peace process finds itself. It is essential to put an end to the grave violations being committed by the Israeli Government against the Palestinian people while ignoring its commitments and undertakings with respect to the peace process and while violating the resolutions that embody international legitimacy, the norms of public international law and the Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War. The Council affirms the importance of rapid and effective action on the part of the international community and the co-sponsors of the peace process, and in particular the United States of America, in order to achieve peace.

The Council voiced its conviction that it is the settlements that constitute the major danger to security and that are preventing its achievement and the advancement of the peace process, as is stated in the Mitchell report. The Council affirmed that the deterioration that is taking place and the current upsurge in violence can essentially be ascribed to the maintenance of the Israeli occupation and to departures from the agreements concluded between the two parties on the basis of the principles of the peace process that were established at the Madrid conference. The Council calls for the siege imposed on the Palestinian people to be lifted and for access to be allowed to financial resources and to employment opportunities for Palestinians so that the Palestinian Authority may achieve the desired results. Burdening the Palestinian side with obligations without a corresponding commitment on the Israeli side cannot be the way to achieve calm and a halt to violence. The Council also deems the presence of effective international monitoring in the areas of tension to be essential.

The Council condemns the policy of escalation and of widening the circle of violence to include neighbouring countries that is being pursued by the Israeli Government. This policy is driving the region to the brink of the abyss and

threatening its security and stability, and it includes Israel's repeated attacks on Lebanon and on Syrian defence installations.

The Council affirmed the need to follow through on and expedite the delivery of Arab financial assistance to the Palestinian Authority so that it can cope with the grave situation and the circumstances imposed upon it.

The Council urges the Follow-up and Action Committee of the League of Arab States to meet on an urgent basis to consider the possibility of convening an emergency meeting of the League of Arab States to consider the situation and the grave consequences it may have.

The Council further expressed its commendation of the results of the tour of the Arab world and Europe made by His Royal Highness Prince Abdullah Bin Abdul-Aziz Al Saud, Crown Prince, Deputy Prime Minister and Commander of the National Guard of the Kingdom of Saudi Arabia, and his intensive efforts during the tour to explain the Arab position on current issues and to affirm the legitimate rights of the Palestinian people, including its right to establish an independent State on its national soil with Jerusalem as its capital.